## REMARKS

### 1. Summary of Office Action

In the Office Action mailed January 4, 2005, the Examiner rejected claims 1-3 under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art, in view of U.S. Patent No. 6,055,430 (Cooper et al.) in view of U.S. Patent No. 6,792,274 (Kapanen), and in further view of PCT Patent No. WO 99/53631 (Ahn et al.). The Examiner also objected to the Abstract.

### 2. Amendments and Pending Claims

The Applicant has amended claims 1 and 2, and has added new claims 4-6. Thus, claims 1-6 are currently pending, of which claim 1 is the only independent claim.

### 3. Response to Examiner's Objections

The Examiner objected to the Abstract, noting specifically that the Abstract should not repeat the title of the application. In response, the Applicant has provided a new, rewritten Abstract. The Applicant submits that the new Abstract conforms to the guidelines set forth in M.P.E.P. § 608.01(b).

### 4. Response to §103 Rejections

As noted above, the Examiner rejected claims 1-3 under 35 U.S.C. §103(a) as being obvious over a combination of the admitted prior art, Cooper et al, Kapanen, and Ahn et al. The Applicant respectfully traverses the obviousness rejection of claims 1-3 because the combination of the admitted prior art, Cooper et al, Kapanen, and Ahn et al. fails to disclose or suggest all of the limitations of any of these claims.

In particular, the combination of the admitted prior art, Cooper et al, Kapanen, and Ahn et al. fails to disclose or suggest transmitting packet data according to the respective radio



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bursting protocol (RBP) instance for each terminal, from the base station to the terminals via the common data channel, as recited in claim 1.

In rejecting claim 1, the Examiner indicated that Cooper et al. and Kapanen do not explicitly disclose generating a radio bursting protocol (RBP) instance, but that Ahn et al. discloses a mobile communication system in which short burst data is transmitted using a Radio Burst Protocol, and cited Page 1, line 14, and Page 2, lines 3-7 in support. These sections teach a Radio Burst Protocol (RBP) that is used for determining whether to retransmit a short data burst frame or to send a new frame.

However, Ahn et al. teaches that "RBP is implemented on burst substrate of the Dormant state ***with reverse common channel only***," (page 2, lines 9-10; emphasis added) i.e., a channel directed from a mobile station (MS) to a base station (BS). Ahn et al. also teaches that the short data burst (SDB) messages are transmitted ***from a MS to a BS***. For example, Figures 2, 4A, 4B, 4C, 7A, and 7B of Ahn et al. only depict SDB frames being transmitted ***from the MS to the BS***. Thus, Ahn et al. does not teach transmitting packet data according to the respective RBP instance for each terminal, ***from the base station to the terminals*** via the common channel, as recited in claim 1.

For these and potentially other reasons, claim 1 is allowable over the combination of the admitted prior art, Cooper et al, Kapanen, and Ahn et al. Further, claims 2-6 depend from claim 1 and are also allowable over the combination of the admitted prior art, Cooper et al, Kapanen, and Ahn et al.



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## 5. Conclusion

In view of the above amendments and remarks, the Applicant respectfully submits that claims 1-6 are now in a condition for allowance, and respectfully request favorable reconsideration and allowance of the claims. If the Examiner would like to discuss this case, the Examiner is welcomed to contact the undersigned at (312) 913-2129.

Respectfully submitted,

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